

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASON OWEN PAUL,

Defendant.

Case No. CR05-191-RSL

**PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE**

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on April 16, 2010. The defendant appeared pursuant to a warrant issued in this case. The United States was represented by Tessa Gorman, and defendant was represented by Robert Gombiner. Also present was U.S. Probation Officer Todd Sanders. The proceedings were digitally recorded.

SENTENCE AND PRIOR ACTION

Defendant was sentenced on September 3, 2008 by the Honorable Robert S. Lasnik for Assault. He received 12 months and 1 day of detention and 3 years of supervised release. On December 5, 2005, the Court revoked Mr. Paul's supervised release as a result of several violations, including failure to notify the probation office at least 10 days prior to any change in residence, failing to notify the probation office of any change in employment, and failure to

1 submit monthly report within the first five days of each month. Mr. Paul received a sentence of
2 3 months detention followed by an 18 month term of supervised release. Mr. Paul began his new
3 term of supervision on October 17, 2008.

4 PRESENTLY ALLEGED VIOLATIONS

5 In a petition dated March 5, 2010, Senior U.S. Probation Officer Steven R. Gregoryk
6 alleged that defendant violated the following conditions of supervised release:

- 7 1. Using MDMA on or before 2/1/10, in violation of standard condition 7.
- 8 2. Using cocaine on or before 2/1/10, in violation of standard condition 7.
- 9 3. Using marijuana on or before 2/1/10, in violation of standard condition 7.
- 10 4. Using Percocet on or before 2/1/10, in violation of standard condition 7.
- 11 5. Failure to follow the instructions of the probation officer on March 1, 2010, in
12 violation of standard condition 3.
- 13 6. Failure to participate as instructed in a program approved by the probation office for
14 the treatment of narcotic addiction or drug dependency, in violation of the special
15 condition of supervision which requires the defendant to participate.

16 FINDINGS FOLLOWING EVIDENTIARY HEARING

17 Defendant admitted the above violations, waived any hearing as to whether they occurred,
18 and was informed the matter would be set for a disposition hearing **April 30, 2010 at 10:30 a.m.**
19 before District Judge Robert S. Lasnik.

20 RECOMMENDED FINDINGS AND CONCLUSIONS

21 Based upon the foregoing, I recommend the court find that defendant has violated the

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1 conditions of his supervised release as alleged above, and conduct a disposition hearing.

2 DATED this 16th day of April, 2010.

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4 BRIAN A. TSUCHIDA
5 United States Magistrate Judge
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